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May 30, 2017

The Honorable Paul W. Grimm
United States District Court for the District of Maryland
Greenbelt Division
6500 Cherrywood Lane
Greenbelt, MD 20770

Re: *Ywuana Peden v. BWW Law Group, LLC, et al.*, Case No. 8:16-cv-4012-PWG

Dear Judge Grimm:

We represent defendant Ben Puchalski in this matter. Pursuant to your Letter Order Regarding the Filing of Motions entered on March 17, 2017, we hereby submit this request for a pre-motion conference in regard to a motion to dismiss we plan to file on behalf of Mr. Puchalski.

Mr. Puchalski first learned about this proceeding when he received service of process on or about May 9, 2017. Therefore, we could not participate in the April 17, 2017 telephone conference when the Court established the procedures for filing motions to dismiss. Even so, the arguments supporting Mr. Puchalski's motion to dismiss are essentially the same arguments presented by the other defendants, i.e., the Court does not have subject matter jurisdiction over Plaintiff's claims under the *Rooker-Feldman* doctrine; Plaintiff is barred from asserting her claims pursuant to the doctrine of *res judicata*; Plaintiff's vague, conclusory allegations against Mr. Puchalski in her complaint are insufficient to state a claim; and Plaintiff lacks standing to advance her claims and/or her claims are barred by judicial estoppel as a result of her filing for bankruptcy protection in December 2010. Mr. Puchalski's motion to dismiss will adopt and incorporate the arguments set forth in defendant PennyMac Loan Services, LLC's motion to dismiss filed on April 28, 2017 (ECF 11) and in the other defendants' motion to dismiss filed on May 5, 2017 (ECF 13). Those documents contain the core facts and legal arguments that support Mr. Puchalski's motion to dismiss.

Because the Court determined on April 17, 2017 that briefing the issues is warranted, and because Mr. Puchalski's motion to dismiss will incorporate the other defendants' legal arguments which are already before the Court, we anticipate filing Mr. Puchalski's motion within five (5) business days of an order directing the motion to be filed.



Attorneys and Counselors at Law

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Respectfully submitted,

JACKSON & CAMPBELL, P.C.

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